

U. S. PTO Customer No. 25280

Case #5063A

**REMARKS**

Claims 1-17 and 22 were pending in the application. Claims 1-10, 12, 14, 15 and 17 have been canceled without prejudice. Claims 13 and 16 have been rewritten in independent form. No claims have been added. Thus claims 11, 13, 16 and 22 are subject to continued examination. Each of these claims is believed to be in condition for allowance. Accordingly, an action to that effect is requested at this time. As the Examiner will note, the content of all remaining claims is unaltered. Thus, it is submitted that entry of the amendment is appropriate.

**ART REJECTIONS:**

Addressing the outstanding rejections of the remaining claims in the order set forth in the Office Action, claim 16 was rejected under 35 U.S.C. 103(a) as being obvious over U.S. Patent 5,902,662 to Kerr. In this regard, the Office Action states that Kerr discloses that the floor mat is one of a plurality of floor mats formed simultaneously from a single backing sheet. In support of this ground for rejection, the Office Action cites Col. 3, lines 60-62 of the Kerr reference.

Applicants respectfully submit that the Examiner may have misinterpreted the Kerr reference. Specifically, it is the conveyor belt of the manufacturing machine that is illustrated as continuous rather than the backing sheet. In this regard, the Examiner is referred to the assembly description which describes a piece by piece assembly practice.

As set forth in the MPEP, in order to establish a *prima facie* case of obviousness, the prior art reference (or references when combined) must teach or suggest all claim limitations. Applicants respectfully submit that the cited Kerr reference does not satisfy this standard with respect to the mat system as recited in claim 16 wherein each of the floor mats is one of a

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plurality of floor mats formed simultaneously from a single backing sheet. Accordingly, reconsideration and withdrawal of the outstanding rejection is requested at this time.

Claims 11 and 22 stand rejected under 35 U.S.C. 103(a) as being obvious over Kerr '662 in view of U.S. Patent 5,198,278 to Sumimoto et al.. Applicants respectfully submit that such a rejection should not be maintained due to the failure of the combination of references to teach or suggest all limitations of the claims. In particular, the combination of references does not appear to fairly teach or suggest a mat system of any type wherein the pile material weighs less than about 20 ounces per square yard and certainly does not teach a system with such a feature in combination with all other recited features.

The Office Action relies on Sumimoto et al. to provide a teaching of a floor mat in which the pile material weighs less than 20 ounces per square yard and cites Col. 3, line 61 of that reference as support. However, this portion of Sumimoto et al. relates to the base cloth and not to the pile material. Moreover, the recited lower limit of 30 grams per square centimeter corresponds to a weight of nearly 9000 ounces per square yard.

As best understood by the Applicants, the lowest pile weight disclosed by Sumimoto et al. is found at Example 3 wherein the unit weight of the pile is indicated as 700 grams per square meter which exceeds 20 ounces per square yard. Accordingly, since a *prima facie* case of obviousness requires that all claim limitations be taught or suggested, it is submitted that the combination of references relied on by the Office Action does not establish the required *prima facie* case and that the outstanding rejection should not be maintained.

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Finally, in the Office Action claim 13 was rejected as being obvious over Kerr '662 in view of U.S. Patent 6,296,919 to Rockwell Jr. et al. As set forth above and below, continued rejection on this basis is respectfully traversed and reconsideration is requested at this time.

In order to establish a *prima facie* case of obviousness, there must be a suggestion or motivation to modify the reference or to combine the reference teachings in the manner proposed. As set forth at MPEP §2143.01, the mere fact that references can be combined or modified does not render the combination or modification obvious unless the prior art also suggests the desirability of the change. It is well established that if the proposed modification or combination would change the principle of operation of the prior art invention being modified or render such prior art invention unsuitable for its intended purpose, then a proper suggestion or motivation cannot be established.

In the present instance, the primary reference to Kerr emphasizes the desirability of a low weight rubber backing with a specific gravity of not greater than 0.98. The proposed modification of Kerr to incorporate a solid rubber backing would require these teachings of a low specific gravity rubber backing to be ignored and would result in a higher weight mat. While such a modification may be possible, it is completely contrary to the teachings of the primary reference. Thus, it is respectfully submitted that the prior art cannot reasonably be viewed as suggesting the desirability of the proposed modification and a proper *prima facie* case of obviousness cannot be established.

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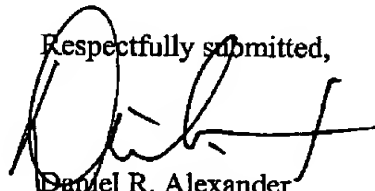
CONCLUSION:

In light of the amendments and remarks set forth above, Applicants respectfully submit that all remaining claims stand in condition for allowance and request that all such claims be passed to issue. While an attempt has been made to address all outstanding issues, to any extent that one or more issues remain, the undersigned respectfully requests a telephone conference to resolve such issues.

To any extent required, a request for an extension of time is hereby made. Please charge any fees or credit any overpayment in connection with this Amendment to Deposit Account 04-0500.

October 16, 2003

Respectfully submitted,



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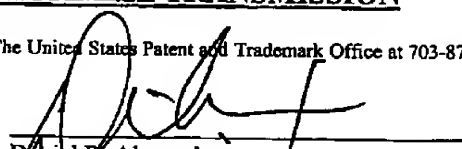
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